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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,350	05/29/2007	Frederic Leymin	03161.001607.	2935

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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER
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LE, HOANGANH T

ART UNIT	PAPER NUMBER
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2821

MAIL DATE	DELIVERY MODE
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09/03/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/598,350	<b>Applicant(s)</b> LEYMIN ET AL.	
	<b>Examiner</b> HoangAnh T. Le	<b>Art Unit</b> 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 17-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-32 is/are allowed.
- 6) ☒ Claim(s) 33-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/11/06</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 33-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 33, is the cable (the antenna) in line 5 the same with the cable inline 6?

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 33 and 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Holland et al (the US Patent No. 6,462,481).

Regarding claim 33, the Holland et al reference teaches in figures 9-15 a housing for a transmission and/or reception device configured to be mounted to a vehicle wheel, the transmission and/or reception device including an antenna, the housing comprising:

Art Unit: 2821

an interior portion for housing the transmission and/or reception device; and an outside face shaped to support a cable forming the antenna 520 , wherein the outside face is shaped to support a cable wrapped around the housing in a solenoidal arrangement (figures 13-15).

Regarding claim 35, wherein the outside face of the housing comprises grooves suitable for receiving the cable (figures 7b and 17) .

Regarding claim 36, wherein at least one of the grooves is shaped to receive the cable fully, in such a manner that the cable is protected by the ridges between the grooves against possible contact (figures 7b and 17).

Regarding claim 37, wherein the grooves are formed by spaces between ribs formed on the outside face of the housing (figures 7b and 17).

6. Claims 33 and 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Urbish (the US Patent No. 4,894,663).

Regarding claim 33, the Urbish et al reference teaches in figures 1-4a housing for a transmission and/or reception device configured to be mounted to a vehicle wheel, the transmission and/or reception device including an antenna, the housing 108 comprising: an interior portion for housing the transmission and/or reception device; and an outside face shaped to support a cable forming the antenna 204, wherein the outside face is shaped to support a cable wrapped around the housing in a solenoidal arrangement (figures 3-4).

Regarding claim 35, wherein the outside face of the housing comprises grooves suitable for receiving the cable (figure 2A) .

Regarding claim 36, wherein at least one of the grooves is shaped to receive the cable fully, in such a manner that the cable is protected by the ridges between the grooves against possible contact (figure 2A).

Regarding claim 37, wherein the grooves are formed by spaces between ribs formed on the outside face of the housing (figure 2A).

***Allowable Subject Matter***

7. Claims 17-32 are allowed.
8. Claim 34 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
9. The following is a statement of reasons for the indication of allowable subject matter: none of the cited art discloses a tire information device configured to provide information relating to a tire; a transmitter/receiver electrically connected to the tire information device; an antenna electrically connected to the transmitter/receiver for transmitting and/or receiving radio frequency signals; and a housing configured to house the tire information device and the transmitter/receiver, wherein the antenna is formed by a cable wound around an outside face of the housing as cited in claim 17 and the outside face of the housing being shaped to be positioned on the wheel in such a manner that the wound cable forms a solenoid oriented along an ortho- radial axis of the wheel.

Art Unit: 2821

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HoangAnh T. Le whose telephone number is (571) 272-1823. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Owens can be reached on (571) 272-1662. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HoangAnh T Le/  
Primary Examiner, Art Unit 2821